

Form 410

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Randy Scott Downey
fdba Downey Trucking
Debtor(s)

Bankruptcy Case No.: 12-70034-JAD
Doc. # 67
Chapter: 13
Docket No.: 68 - 67
Concil. Conf.: February 16, 2017 at 09:00 AM

ORDER

WHEREAS, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

IT IS HEREBY ORDERED that, on or before **December 8, 2016**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit or Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

OR

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

IT IS FURTHER ORDERED that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **December 23, 2016**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.

On **February 16, 2017 at 09:00 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.

If the Parties cannot resolve all disputes at the Conciliation Conference, a hearing will be scheduled and orally announced at the conclusion of the Conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the Conciliation conference to the extent such parties desire more information regarding the outcome of the Conciliation Conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: October 24, 2016

Jeffery A. Deller
United States Bankruptcy Judge

cm: All Creditors and Parties In Interest

INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee
P.O. Box 84051
Chicago, IL 60689-4002

Certificate of Notice Page 3 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Randy Scott Downey
 Debtor

Case No. 12-70034-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7

User: msch
 Form ID: 410

Page 1 of 3
 Total Noticed: 32

Date Rcvd: Oct 24, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 26, 2016.

db
 13296660 +Randy Scott Downey, 404 Oak Street, Indiana, PA 15701-1934
 13296661 +American Infomsource LP, PO Box 71083, Charlotte, NC 28272-1083
 13296661 +Andrew F. Gornall, Esquire, KML Law Group, P.C., 701 Market Street, Suite 5000,
 Philadelphia, PA 19106-1541
 13296664 +BAC Home Loans Servicing LP, 400 National Way, Mail Stop: CA6-919-01-23,
 Simi Valley, CA 93065-6414
 13277186 +Bank Of America, PO Box 15311, Wilmington, DE 19850-5311
 13354057 Bank of America, N.A., P.O.Box 660933, Dallas, TX 75266-0933
 13277187 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 (address filed with court: Capital One, PO Box 85520, Richmond, VA 23285)
 13277189 ++CITIFINANCIAL, BANKRUPTCY FORECLOSURE UNIT, 1000 TECHNOLOGY DRIVE, OFALLON MO 63368-2239
 (address filed with court: Citifinancial, 300 Saint Paul Pl, Baltimore, MD 21202)
 13319015 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
 13277188 +Chase, PO Box 15298, Wilmington, DE 19850-5298
 13277190 CitiFinancial, Inc., P.O. Box 140489, Irving, TX 75014-0489
 13277191 +Deutsche Bank National Trust Company, et al, c/o Vitti and Vitti and Associates, P.C.,
 916 Fifth Avenue, Pittsburgh, PA 15219-4764
 13277197 Indiana County Tax Claim Bureau, Indiana County Courthouse, 825 Philadelphia Street,
 Indiana, PA 15701-3934
 13277198 +Integral Recoveries, 770 W Hampden Ave Ste 34, Englewood, CO 80110-2121
 13277204 ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229
 (address filed with court: U S Bank, 101 5th St E Ste A, Saint Paul, MN 55101)
 13277207 +W.G. Satterlee and Sons, 12475 Route 119 Hwy North, Rochester Mills, PA 15771-6505
 13277195 eCAST Settlement Corp., Post Office Box 35480, Newark, NJ 07193-5480
 13374533 eCAST Settlement Corporation, assignee, of Chase Bank USA, N.A., POB 29262,
 New York, NY 10087-9262

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 cr

+E-mail/Text: bnc@atlasacq.com Oct 25 2016 01:44:29 Atlas Acquisitions LLC, 294 Union St.,
 Hackensack, NJ 07601-4303
 13277183 +E-mail/Text: legal@arsnational.com Oct 25 2016 01:44:42 Associated Recovery Systems,
 A Division of ARS National Services, PO Box 469046, Escondido, CA 92046-9046
 13277184 +E-mail/Text: bnc@atlasacq.com Oct 25 2016 01:44:29 Atlas Acquisitions LLC,
 Attn: Avi Schild, 294 Union Street, Hackensack, NJ 07601-4303
 13296671 +E-mail/PDF: resurgentbknofications@resurgent.com Oct 25 2016 01:59:04 CR Evergreen, LLC,
 MS 550, PO Box 91121, Seattle, WA 98111-9221
 13277192 +E-mail/Text: mrdiscen@discover.com Oct 25 2016 01:44:28 Discover, PO Box 3025,
 New Albany, OH 43054-3025
 13299780 E-mail/Text: mrdiscen@discover.com Oct 25 2016 01:44:28 Discover Bank,
 DB Servicing Corporation, PO Box 3025, New Albany, OH 43054-3025
 13277193 E-mail/Text: mrdiscen@discover.com Oct 25 2016 01:44:28 Discover Bank, Dfs Services LLC,
 P.O. Box 3025, New Albany, OH 43054-3025
 13277194 +E-mail/PDF: resurgentbknofications@resurgent.com Oct 25 2016 01:59:05 East Bay Funding,
 c/o Resurgent Capital Services, PO Box 288, Attn: Susan Gaines,
 Greenville, SC 29602-0288
 13396033 +E-mail/PDF: resurgentbknofications@resurgent.com Oct 25 2016 01:59:06
 East Bay Funding, LLC its successors and assigns, as assignee of B-Line, LLC,
 Resurgent Capital Services, PO Box 288, Greenville, SC 29602-0288
 13277201 E-mail/Text: cio.bncmail@irs.gov Oct 25 2016 01:44:35 Internal Revenue Service,
 Insolvency Unit, P.O. Box 628, Pittsburgh, PA 15230
 13396038 E-mail/PDF: resurgentbknofications@resurgent.com Oct 25 2016 01:59:05
 LVNV Funding, LLC its successors and assigns as, assignee of CitiFinancial, Inc.,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 13277202 E-mail/Text: camanagement@mtb.com Oct 25 2016 01:44:42 M&T Bank, 1100 Wehrle Drive,
 Williamsville, NY 14221
 13277203 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Oct 25 2016 01:44:48
 Pennsylvania Department of Revenue, Bankruptcy Division, P.O. Box 280946,
 Harrisburg, PA 17128-0946
 13277205 +E-mail/Text: bnc@alltran.com Oct 25 2016 01:44:30 United Recovery System, P.O. Box 722929,
 Houston, TX 77272-2929

TOTAL: 14

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr
 13277182 Deutsche Bank National Trust Company, et al...
 13296659 Randy Scott Downey
 13296662* +Associated Recovery Systems, A Division of ARS National Services, PO Box 469046,
 Escondido, CA 92046-9046
 13296663* +Atlas Acquisitions LLC, Attn: Avi Schild, 294 Union Street, Hackensack, NJ 07601-4303
 13296666* +Bank Of America, PO Box 15311, Wilmington, DE 19850-5311
 13296665* +Bank Of America, PO Box 1598, Norfolk, VA 23501-1598
 13296667* ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 (address filed with court: Capital One, PO Box 85520, Richmond, VA 23285)

District/off: 0315-7

User: msch
Form ID: 410

Page 2 of 3
Total Noticed: 32

Date Rcvd: Oct 24, 2016

***** BYPASSED RECIPIENTS (continued) *****

13296669* ++CITIFINANCIAL, BANKRUPTCY FORECLOSURE UNIT, 1000 TECHNOLOGY DRIVE, OFALLON MO 63368-2239
(address filed with court: Citifinancial, 300 Saint Paul Pl, Baltimore, MD 21202)

13296668* +Chase, Po Box 15298, Wilmington, DE 19850-5298

13296670* CitiFinancial, Inc., P.O. Box 140489, Irving, TX 75014-0489

13296672* +Deutsche Bank National Trust Company, et al, c/o Vitti and Vitti and Associates, P.C.,
916 Fifth Avenue, Pittsburgh, PA 15219-4764

13296673* +Discover, PO Box 3025, New Albany, OH 43054-3025

13296674* Discover Bank, Dfs Services LLC, P.O. Box 3025, New Albany, OH 43054-3025

13296675* +East Bay Funding, c/o Resurgent Capital Services, PO Box 288, Attn: Susan Gaines,
Greenville, SC 29602-0288

13296677* +Frederick J. Hanna & Associates, P.C., 1427 Roswell Road, Marietta, GA 30062-3668

13277199* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,
PHILADELPHIA PA 19101-7346
(address filed with court: Internal Revenue Service, P.O. Box 21125,
Philadelphia, PA 19114)

13296680* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,
PHILADELPHIA PA 19101-7346
(address filed with court: Internal Revenue Service, P.O. Box 21125,
Philadelphia, PA 19114)

13296678* Indiana County Tax Claim Bureau, Indiana County Courthouse, 825 Philadelphia Street,
Indiana, PA 15701-3934

13296679* +Integral Recoveries, 770 W Hampden Ave Ste 34, Englewood, CO 80110-2121

13277200* +Internal Revenue Service, William S. Moorehead Federal Building, 1000 Liberty Avenue,
Room 806, Pittsburgh, PA 15222-4027

13296681* +Internal Revenue Service, William S. Moorehead Federal Building, 1000 Liberty Avenue,
Room 806, Pittsburgh, PA 15222-4027

13296682* Internal Revenue Service, Insolvency Unit, P.O. Box 628, Pittsburgh, PA 15230

13296683* ++M&T BANK, LEGAL DOCUMENT PROCESSING, 1100 WHERLE DRIVE, WILLIAMSVILLE NY 14221-7748
(address filed with court: M&T Bank, 1100 Wehrle Drive, Williamsville, NY 14221)

13296684* Pennsylvania Department of Revenue, Bankruptcy Division, P.O. Box 280946,
Harrisburg, PA 17128-0946

13296685* ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229
(address filed with court: U S Bank, 101 5th St E Ste A, Saint Paul, MN 55101)

13277206* ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229
(address filed with court: US Bank, 4125 Technology Way, Carson City, NV 89706)

13296687* ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229
(address filed with court: US Bank, 4125 Technology Way, Carson City, NV 89706)

13296686* +United Recovery System, P.O. Box 722929, Houston, TX 77272-2929

13296688* +W.G. Satterlee and Sons, 12475 Route 119 Hwy North, Rochester Mills, PA 15771-6505

13296676* eCAST Settlement Corp., Post Office Box 35480, Newark, NJ 07193-5480

13374534* eCAST Settlement Corporation, assignee, of Chase Bank USA, N.A., POB 29262,
New York, NY 10087-9262

13277185 ###Bank Of America, Po Box 1598, Norfolk, VA 23501-1598

13277196 ###Frederick J. Hanna & Associates, P.C., 1427 Roswell Road, Marietta, GA 30062-3668

TOTALS: 3, * 29, ## 2

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required
by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 26, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

District/off: 0315-7

User: msch
Form ID: 410

Page 3 of 3
Total Noticed: 32

Date Rcvd: Oct 24, 2016

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 24, 2016 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor Deutsche Bank National Trust Company, et al...
agornall@goldbecklaw.com, bkgroup@goldbecklaw.com;bkgroup@kmlawgroup.com
Gregory Javardian on behalf of Creditor Deutsche Bank National Trust Company, et al...
greg@javardianlaw.com, mary@javardianlaw.com;tami@javardianlaw.com
Office of the United States Trustee ustpreregion03.pi.ecf@usdoj.gov
Paul W. McElrath, Jr. on behalf of Debtor Randy Scott Downey ecf@mcelrathlaw.com,
donotemail.ecfbackuponly@gmail.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 5